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1/20/2010

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

WHEREAS, Defendants have filed a motion to dismiss which is currently scheduled for hearing on December 11, 2009 at 9:00 a.m., and

WHEREAS, Plaintiff has filed a motion for remand which is also scheduled for hearing on December 11, 2009 at 9:00 a.m., and

WHEREAS, November 20, 2009 is the time set for filing opposition to said motions and the Plaintiff needs additional time to respond to the motion to dismiss, and

WHEREAS, a case management conference is currently set for Friday, January 29, 2010 at 10:30 a.m.

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-

27 STIPULATION FOR EXTENSION OF TIME TO RESPOND TO DEFENDANTS'
MOTION TO DISMISS AND TO PLAINTIFF'S MOTION FOR REMAND AND FOR
28 CONTINUANCE OF HEARINGS; ORDER THEREON,
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1 entitled action, by their respective counsel, that the hearing on the respective motions be
2 continued to January 29, 2010 at 9:00 a.m. and that the time for filing opposition to said motions
3 be extended from November 20, 2009 to January 8, 2010.

4 Dated: November 18, 2009

5 LAW OFFICES OF EUGENE FLEMATE

6
7 By Eugene Flemate
8 EUGENE FLEMATE

9 Attorneys for Plaintiff MARIAN DEAN

10 Dated: November 18, 2009

11 McPHARLIN, SPRINKLES & THOMAS LLP

12 By: Anne C. Stromberg
13 ANNE C. STROMBERG

14 Attorney for Defendants
15 ANN MILLER RAVEL, ALICE WHEATLEY,
16 LORI E. PEGG, BRIAN McKENNA and THE
17 COUNTY OF SANTA CLARA

18 **IT IS SO ORDERED AS MODIFIED**

19 PURSUANT TO STIPULATION OF THE PARTIES, IT IS ORDERED that hearing on
20 Plaintiff's motion for remand and Defendants' motion to dismiss is VACATED and the motions
21 TERMINATED. The shall re-file and notice their motions before Judge James Ware
22 pursuant to the case reassignment. The Court set a Case Management Conference for
23 April 5, 2010 at 10:00 AM. The parties shall file a joint case management conference
24 statement on or before March 26, 2010.

25 Dated: January 20, 2010

26 James Ware
27 UNITED STATES DISTRICT JUDGE

28 **STIPULATION FOR EXTENSION OF TIME TO RESPOND TO DEFENDANTS'
MOTION TO DISMISS AND TO PLAINTIFF'S MOTION FOR REMAND AND FOR
CONTINUANCE OF HEARINGS; ORDER THEREON,**
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